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	ENCLOSURES (Check all	4-4		
Fee Transmittal Form Fee Attached Amendment/Reply After Final Affidavits/declaration(s) Extension of Time Request Express Abandonment Request Information Disclosure Statement Certified Copy of Priority Document(s) Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53	Drawing(s) Licensing-related Papers Petition Petition to Convert to a Provisional Application Power of Attorney, Revocation Change of Correspondence A Terminal Disclaimer Request for Refund CD, Number of CD(s) Remarks Please charge any fee deficiencies or	ddress to Apply of Apply (Apply Apply Appl	Fechnolo peal Cor Appeals peal Cor peal Not aprietary tus Lett her Enclo ntify bel	osure(s) (please ow):
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Firm Mark D. Passler, Registra or Akerman Senterfitt	•			
Signature	m			
Date 11-30-06	2			
I hereby certify that this correspondence is b sufficient postage as first class mail in an entitle date shown below.		or deposited with the		
Typed or printed name Mark D. Passler				
Signature			Date	11-30-06

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

in re Application of COATI et al.

Application No. 10/599,502

Examiner:

Filed: September 29, 2006

Group Art Unit:

For: INTRAMEDULLARY NAIL COMPRISING ELEMENTS OF SHAPE-MEMORY

MATERIAL

INFORMATION DISCLOSURE STATEMENT PURSUANT TO 37 CFR §1.97(b)

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450 on 11-30-06.

Reg. No. 40,764

Mark D. Passler

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Pursuant to the Duty to Disclose under 37 C.F.R. §1.56, the references cited on the accompanying form PTO/SB/08A are hereby brought to the attention of the Examiner for independent evaluation. In accordance with the Rules in effect for applications filed after June 30, 2003, copies of U.S. patents and/or patent application publications are not enclosed. A copy of each foreign language reference is enclosed, along with an English-language abstract where necessary. The references were cited in part in the specification of the present application and in part in the PCT Search Report. A copy of the PCT Search Report is also enclosed, which satisfies the requirement for a concise explanation of foreign-language references.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicants do not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

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{WP353232;1}

U.S. Patent Appln. No. 10/599,502 Information Disclosure Statement Docket No. 7202-124

Applicants respectfully request that the listed documents be considered by the Examiner and made of record in the present application and that an initialed copy of form PTO/SB/08A be returned in accordance with MPEP §609.

Certification

This Statement is being filed prior to the issuance of the first Office Action for the present application, and this paper is thus submitted in accordance with 37 CFR 1.97(b).

In view of the above certification, a fee is not required for consideration of this document. Nevertheless, should a fee be deemed to be due by the Commissioner, such fee should be charged to Deposit Account No. 50-0951.

Respectfully submitted,

Dated: 11-30 - 06

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PTO/SB/08A (07-05)

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Substitute for form 1449/PTO

Sheet 1

ATENT & TRADE

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

of 1

Complete if Known			
Application Number	10/599,502		
Filing Date	September 29, 2006		
First Named Inventor	COATI		
Art Unit			
Examiner Name			
Attorney Docket Number	7202-124		

			U. S. PATEN	DOCUMENTS	
Examiner Initials*	Cite No.1	Document Number Publication MM-DD-Y		Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	ļ	Number-Kind Code ^{2 (f known)}			
	<u> </u>	^{US-} 5,702,215	12/30/1997	LI	
		^{US-} 6,575,973	06/10/2003	SHEKALIM	
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FOREIGN PATENT DOCUMENTS						
	Cite No.1	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages	
		Country Code ³ "Number ⁴ "Kind Code ⁵ (if known)	MM-DD-YYYY		Or Relevant Figures Appear	Т6
		JP-10-57398-A	03/03/1998	MONMA MITSURU		
		FR-2 783 702-A	03/31/2000	BERTHOLET, MAURICE		
		FR-2 727 304-A	05/31/1996	FELMAN, DANIEL		
		WO 03/007830-A1	01/30/2003	EXPANDING ORTHOPEDIC		
		DE-38 38 388-A1	05/17/1990	PFEIFER THOMAS		
		EP-0 772 420	05/14/1997	ORTHOFIX SRL		

Examiner		Date	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. Applicant is to place a check mark here if English language Translation is attached.

Translation is attached.

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